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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
*ex rel.* MARY HENDOW and  
JULIE ALBERTSON,

Plaintiffs,

No. CIV S-03-0457 GEB DAD

v.

UNIVERSITY OF PHOENIX,

Defendant.

ORDER

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This case came before the court on April 24, 2009, for hearing on relators' motion to compel further responses to six interrogatories and five requests for production of documents (Doc. No. 245). Michael Rubin and Rachel German appeared for the relators. Kristopher P. Diulio and Jason Glickman appeared for defendant.

For the reasons stated in open court, relators' motion to compel was granted in part and denied in part. With respect to interrogatory 12, defendant shall by May 15, 2009, provide relators with the default rate, not broken down by category, for the time period 2006-08. As to interrogatory 21, defendant shall supplement its response by May 7, 2009 and state unequivocally whether it intends to present an advice of counsel defense. With respect to interrogatories 22 and 23, defendant shall answer the interrogatories as modified and limited on

1 the record at the hearing on the motion and shall do so by May 15, 2009, absent further order of  
2 the court. As to requests for production 3 and 4, defendant shall by May 15, 2009, produce the  
3 documents called for by the requests as modified and limited on the record at the hearing. With  
4 respect to request for production 5, defendant shall supplement its response to clarify the scope  
5 of the search of records that was undertaken in response to the request. In all other respects,  
6 relators' motion to compel (Doc. No. 245) was denied.

7 IT IS ORDERED.

8 DATED: May 14, 2009.

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12 DALE A. DROZD  
13 UNITED STATES MAGISTRATE JUDGE

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